

No 56735

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office SEP 09 1991

Returned to applicant for correction _____

Correction application filed _____

Map filed AUG 28 1990 under 55021The applicant GARTH FREHNER124 W. BROOKS AVE, of N. LAS VEGAS

Street and No. or P.O. Box No.

City or Town

NEVADA 89030, hereby make application for permission to appropriate the public

State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is DRILLED WELL-IMLAY HYDROGRAPHIC AREA
Name of stream, lake, spring, underground or other source
PERSHING COUNTY, NEVADA

2. The amount of water applied for is .4456 cfs, second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for COMMERCIAL (SAND & GRAVEL OPERATION) PURPOSES
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: _____

(b) Stockwater, state number and kinds of animals to be watered: _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power: _____

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: WITHIN SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION
Describe as being within a 40-acre subdivision of public
8 TOWNSHIP 32 N RANGE 34 EAST M.D.M., PERSHING COUNTY NEVADA OR AT A POINT FROM
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
THE SE CORNER OF SEC. 8 BEARS S. 83 DEGREES 32'4" E at a DISTANCE OF 898.84 FEET.

6. Place of use WITHIN THE S $\frac{1}{2}$ AND A PORTION OF THE S $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ ALL WITHIN SECTION
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
8 T32N R34E M.D.M. PERSHING COUNTY NEVADA

7. Use will be begin about JANUARY 1 and end about DECEMBER 31, of each year.
Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) DRILLED WELL WITH PUMP AND MOTOR
State manner in which water is to be diverted, i.e. diversion structure, ditches and

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$50,000.00

10. Estimated time required to construct works 3 MONTHS
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use 3 YEARS
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

WATER IS TO BE USED FOR CONSTRUCTION WATER FOR A SAND AND GRAVEL
OPERATION

By s/Jim Matthews
124 W. Brooks Ave
N. Las Vegas, Nevada 89030

Compared bc/bc ap/se

Protested 11/26/91 by: Perishing County Water Conservation Dist. of NV
Pro. wdr. 5-11-92

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on May 28, 1997 and all rights herein will revert back to the source. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.
 (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4456 cubic feet per second and not to exceed
92 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 28, 1993

Proof of completion of work shall be filed before July 28, 1993

Application of water to beneficial use shall be filed on or before May 29, 1997
 Permit Expires

Proof of the application of water to beneficial use shall be filed on or before N/A May 29, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 23 1993

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

218 (Rev.)

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 29th day of May

A.D. 1992

[Signature]
 State Engineer

EXPIRED
DATE JUN 06 1997

(PERMIT TERMS CONTINUED)

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

This permit is issued solely for the commercial use related to the sand and gravel operation and the owner's construction activities. Any other commercial uses contemplated by this owner or a new owner must be approved in writing by the State Engineer.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water under Permits 55021 and 56735 shall not exceed 92 acre-feet annually.

